

there should be a different penalty than the ones which have been ascribed to these particular offenses by the Bill Drafter or whoever put LB 39 together. I do have to ask that question. Senator Barnett, who drafted LB 39?

SPEAKER LUEDTKE: LB 41 do you mean, or 39?

SENATOR CHAMBERS: LB 39 and 40 and 41 since they're all supposed to be just....

SPEAKER LUEDTKE: Now we're discussing 41, but you're asking a question about all of these.

SENATOR CHAMBERS: Yes, because I presume, unless somebody different drafted all of them.

SPEAKER LUEDTKE: Alright. Senator Barnett, would you respond.

SENATOR BARNETT: I'm sure if he's talking about who drafted them it was probably Emory Burnett, Bruce and Brian, and all the people in the Bill Drafter's Office.

SENATOR CHAMBERS: Senator Barnett, who made the policy decisions as to what penalties should be attached to these offenses? The Bill Drafter did that?

SENATOR BARNETT: No. I would say it would be members of the County Attorneys staff of different counties, the people that worked on the Code. Then, I would imagine that some of them were brought into compliance along with that suggestion by the Bill Drafter, yes.

SENATOR CHAMBERS: Would you agree that there is an entirely different penalty structure with the advancement of 38 than there was before that?

SENATOR BARNETT: Sure.

SENATOR CHAMBERS: Do you think a philosophy is involved in the establishment of the penalty structure in LB 38?

SENATOR BARNETT: No, I don't think there is... In 38?

SENATOR CHAMBERS: Yes.

SENATOR BARNETT: Sure, there's philosophy of a different penalty section, different method.

SENATOR CHAMBERS: Do you think that the Bill Drafter's office and his staff should be assigned the policy decisions of prescribing penalties for crimes?

SENATOR BARNETT: I think what they did was bring them into compliance with the ones they fit into.

SENATOR CHAMBERS: But they don't all fit, do they?

SENATOR BARNETT: I think most of them do, except for what you're bringing out, which is something I've known about for six or seven years. I haven't mislead anybody on it.